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27 (17650)

CLOSED,ON BOND,Restraint\_None

United States District Court  
District of Nevada (Las Vegas)  
**CRIMINAL DOCKET FOR CASE #: 2:22-mj-00950-NJK All Defendants**

Case title: USA v. Mizrahi

Date Filed: 12/09/2022

Date Terminated: 12/21/2022

Assigned to: Magistrate Judge Nancy J.  
Koppe

**Defendant (1)****Martin Mizrahi**

TERMINATED: 12/21/2022

also known as

Marty Mizrahi

TERMINATED: 12/21/2022

represented by **Craig A. Mueller**

Craig Mueller and Associates

723 South Seventh Street

Las Vegas, NV 89101

702-382-1200

Fax: 702-940-1235

Email:

electronicservice@craigmuellerlaw.com

LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Designation: Retained

**Pending Counts**

None

**Disposition****Highest Offense Level (Opening)**

None

**Terminated Counts**

None

**Disposition****Highest Offense Level (Terminated)**

None

**Complaints**

Rule 5

**Disposition**TRANSMITTED to Southern District of  
New York on 12/21/2022

**Plaintiff****USA**represented by **Nadia Janjua Ahmed**

United States Attorney's Office

501 Las Vegas Blvd South

Suite 1100

Las Vegas, NV 89101

702-388-6336

Fax: 702-388-5087

Email: Nadia.Ahmed2@usdoj.gov

**LEAD ATTORNEY****ATTORNEY TO BE NOTICED****Designation: USA**

Date Filed	#	Docket Text
12/09/2022		Case assigned to Magistrate Judge Nancy J. Koppe. (AJZ) (Entered: 12/09/2022)
12/09/2022	<u>1</u>	Rule 5(c)(3) Documents Received as to Martin Mizrahi. Documents received from Southern District of New York include Sealed Indictment and Warrant. (KF) (Entered: 12/09/2022)
12/09/2022	<u>2</u>	MINUTES OF PROCEEDINGS - Initial Appearance in Rule 5(c)(3) Proceeding as to Martin Mizrahi held on 12/9/2022 before Magistrate Judge Nancy J. Koppe. Crtrm Administrator: <i>A. Caytuero</i> ; AUSA: <i>Nadia Ahmed</i> ; Def Counsel: <i>Craig A. Mueller, Esq.</i> ; PTS: <i>Jessica Favela</i> ; Court Reporter/Recorder: <i>Liberty/ CRD</i> ; Recording start and end times: <i>1:34:39 - 1:45:36</i> ; Time of Hearing: <i>1:34 PM - 1:45 PM</i> ; Courtroom: <i>3C</i> ; Defendant is present and in custody. Defendant is in no restraints during this court proceeding. Case Ordered unsealed. Defense counsel retained. Attorney Craig A. Mueller files a Designation of Retained Counsel in open court. Defendant is advised of his rights/charges. Waiver of Identity Hearing is filed. ORDERED that the Defendant is identified as the named defendant in Indictment and is held to answer in the Southern District of New York. The Court issues an oral order to the parties confirming the United States' <i>Brady</i> obligations. Government does not seek detention. Parties are heard regarding conditions of release. IT IS ORDERED that the Defendant is released on a \$500,000.00 Bond secured by his property, with conditions. Bond form to be executed. Government's counsel is to provide Pretrial Services and Defense counsel a date, time and location for Defendant's next hearing in the Southern District of New York. Court adjourns. Rule 5 deadline is set for <u>December 27, 2022</u> . (no image attached) (Copies have been distributed pursuant to the NEF - AC) (Entered: 12/09/2022)
12/09/2022	<u>3</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Nancy J. Koppe, as to Martin Mizrahi on 12/9/2022 by Deputy Clerk: <i>A. Caytuero</i> .  Under federal law, including Rule 5(f) of the Federal Rules of Criminal Procedure, <i>Brady v. Maryland</i> , 373 U.S. 83 (1963), and all applicable decisions from the Supreme Court and the Ninth Circuit interpreting <i>Brady</i> , the government has a continuing obligation to produce all information or evidence known to the government relating to guilt or punishment that might reasonably be considered favorable to the defendant's case, even if the evidence is not admissible so long as it is reasonably likely to lead to admissible

evidence. *See United States v. Price*, 566 F.3d 900,913 n.14 (9th Cir. 2009). Accordingly, the court orders the government to produce to the defendant in a timely manner all such information or evidence.

Information or evidence may be favorable to a defendant's case if it either may help bolster the defendant's case or impeach a prosecutor's witness or other government evidence. If doubt exists, it should be resolved in favor of the defendant with full disclosure being made.

If the government believes that a required disclosure would compromise witness safety, victim rights, national security, a sensitive law-enforcement technique, or any other substantial government interest, the government may apply to the Court for a modification of the requirements of this Disclosure Order, which may include in camera review and/or withholding or subjecting to a protective order all or part of the information.

This Disclosure Order is entered under Rule 5(f) and does not relieve any party in this matter of any other discovery obligation. The consequences for violating either this Disclosure Order or the government's obligations under *Brady* include, but are not limited to, the following: contempt, sanction, referral to a disciplinary authority, adverse jury instruction, exclusion of evidence, and dismissal of charges. Nothing in this Disclosure Order enlarges or diminishes the government's obligation to disclose information and evidence to a defendant under *Brady*, as interpreted and applied under Supreme Court and Ninth Circuit precedent. As the Supreme Court noted, "the government violates the Constitution's Due Process Clause 'if it withholds evidence that is favorable to the defense and material to the defendant's guilt or punishment.'" *Turner v. United States*, 137 S. Ct. 1885, 1888 (2017), quoting *Smith v. Cain*, 565 U.S. 73, 75 (2012).

**(no image attached)** (Copies have been distributed pursuant to the NEF - AC) (Entered: 12/09/2022)

12/09/2022	<u>4</u>	WAIVER of Rule 5 & 5.1 Hearings by Martin Mizrahi. (KF) (Entered: 12/12/2022)
12/09/2022	<u>5</u>	DESIGNATION of Retained Counsel by Craig A. Mueller on behalf of Martin Mizrahi. (KF) (Entered: 12/12/2022)
12/09/2022	<u>6</u>	ORDER Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail, as to Martin Mizrahi. Signed by Magistrate Judge Nancy J. Koppe on 12/9/2022. (Copies have been distributed pursuant to the NEF - KF) (Entered: 12/21/2022)
12/21/2022	<u>7</u>	PROPERTY BOND Entered as to Martin Mizrahi. Receipt # 55428. (Attachments: # <u>1</u> <b>SEALED</b> Receipt)(AC) (Entered: 12/21/2022)
12/21/2022	<u>8</u>	TRANSMITTAL to Southern District of New York. Your case number: 1:22-cr-00650-JPO Our case number: 2:22-mj-00950-NJK Please be advised that Defendant Martin Mizrahi was arrested in the District of Nevada (Las Vegas) on a warrant issued by the Southern District of New York and appeared before United States Magistrate Judge Koppe, on 12/9/2022. The Defendant was released on a property bond and ordered to appear in your court on 1/26/2023 @ 11:00 am. All documents completed in this district may be accessed via PACER and our website at

<https://ecf.nvd.uscourts.gov>.  
(cc: CriminalTransfer@nysd.uscourts.gov - KF) (Entered: 12/21/2022)



AO 466A (Rev. 12/17) Waiver of Rule 5 &amp; 5.1 Hearings (Complaint or Indictment)

## UNITED STATES DISTRICT COURT

for the  
District of Nevada

FILED	RECEIVED
ENTERED	SERVED ON
COUNSEL/PARTIES OF RECORD	
DEC - 9 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY

United States of America

v.

MARTIN MIZRAHI

Defendant

Case No. 2:22-mj-00950-NJK

Charging District's Case No. 1:22-cr-00650-JPO

**WAIVER OF RULE 5 & 5.1 HEARINGS**  
(Complaint or Indictment)I understand that I have been charged in another district, the (name of other court) Southern District of New York

I have been informed of the charges and of my rights to:

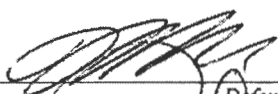
- (1) retain counsel or request the assignment of counsel if I am unable to retain counsel;
- (2) an identity hearing to determine whether I am the person named in the charges;
- (3) production of the warrant, a certified copy of the warrant, or a reliable electronic copy of either;
- (4) a preliminary hearing to determine whether there is probable cause to believe that an offense has been committed, to be held within 14 days of my first appearance if I am in custody and 21 days otherwise, unless I have been indicted beforehand.
- (5) a hearing on any motion by the government for detention;
- (6) request a transfer of the proceedings to this district under Fed. R. Crim. P. 20, to plead guilty.


I agree to waive my right(s) to:

- ☒ an identity hearing and production of the warrant.
- ☐ a preliminary hearing.
- ☐ a detention hearing.
- ☐ an identity hearing, production of the judgment, warrant, and warrant application, and any preliminary or detention hearing to which I may be entitled in this district. I request that my  
☐ preliminary hearing and/or ☐ detention hearing be held in the prosecuting district, at a time set by that court.

I consent to the issuance of an order requiring my appearance in the prosecuting district where the charges are pending against me.

Date: 12/09/2022

  
Defendant's signature

  
Signature of defendant's attorney

Craig A. Meller  
Printed name of defendant's attorney

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
DEC - 9 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MARTIN MIZRAHI,

Defendant.

Case # 2:22-mj-00950-NJK

**DESIGNATION OF RETAINED COUNSEL  
AND APPEARANCE PRAECIPE**

The undersigned defendant hereby appoints Craig A. Mella

to appear generally for him/her as his/her attorney and counselor at law throughout all proceedings in this case unless this appointment be sooner revoked.

DATED: 9 December 22

[Signature]  
Defendant's signature

APPEARANCE PRAECIPE

I hereby accept the foregoing appointment and request the Clerk to enter my appearance as attorney for the defendant, in response to the foregoing designation.

I personally will appear at all proceedings in this case. I understand that no other attorney may appear in my place unless prior permission is granted by the Court, and then ONLY when consent of the defendant has been obtained and filed with the Clerk.

I further state that I realize it is my responsibility to keep the defendant advised as to all proceedings in this case and to inform him/her when to appear in Court, and also to notify the Clerk of any change in my address or telephone number.

DATED: 9 December 2022

[Signature]  
Attorney's signature

Attorney's address

808 S. Squash Street

Las Vegas, Nevada

(702) 340-2151

Attorney's phone number

AO 467 (Rev. 01/09) Order Requiring a Defendant to Appear in the District Where Charges are Pending and Transferring Bail

## UNITED STATES DISTRICT COURT

for the

District of Nevada

United States of America

v.

Case No. 2:22-mj-00950-NJK

MARTIN MIZRAHI

Defendant

Charging District: Southern District of New York

Charging District's Case No. 1:22-cr-00650-JPO

**ORDER REQUIRING A DEFENDANT TO APPEAR IN THE DISTRICT  
WHERE CHARGES ARE PENDING AND TRANSFERRING BAIL**

After a hearing in this court, the defendant is released from custody and ordered to appear in the district court where the charges are pending to answer those charges. If the time to appear in that court has not yet been set, the defendant must appear when notified to do so. Otherwise, the time and place to appear in that court are:

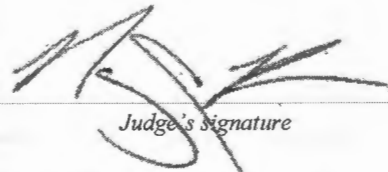
Place: Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Courtroom No.: AS ORDERED

Date and Time: January 26, 2023, at 11:00 AM

The clerk is ordered to transfer any bail deposited in the registry of this court to the clerk of the court where the charges are pending.

Date: December 9, 2022



Judge's signature

NANCY J. KOPPE, United States Magistrate Judge

Printed name and title

<input checked="" type="checkbox"/> FILED	<input type="checkbox"/> RECEIVED
<input type="checkbox"/> ENTERED	<input type="checkbox"/> SERVED ON
COUNSEL/PARTIES OF RECORD	
DEC 09, 2022	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY:	DEPUTY